

Nadler Testifies before NY City Council Against "Don't Ask, Don't Tell" Policy

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WASHINGTON, D.C. — Congressman Jerrold Nadler (D-NY) strongly opposed the U.S. military's "Don't Ask, Don't Tell" policy at a New York City Council hearing this week. Testifying before the Standing Committee on State and Federal Legislation, Congressman Nadler criticized the policy as discriminatory and extremely wasteful. His testimony follows.

"Thank you, Councilmember Rivera. I would like to thank you and the other members of the committee for this opportunity to testify.

It is now almost 12 years since the United States military put into place the so-called, "Don't Ask, Don't Tell, Don't Pursue" policy regarding our country's gay and lesbian soldiers. For more than a decade, we have foolishly allowed this disastrous, discriminatory, and unconstitutional policy to waste hundreds of millions of taxpayer dollars, undermine military readiness, and indirectly threaten our national security.

In 1993, I repeatedly denounced the overheated and irrational rhetoric of my colleagues in Congress and our nation's military leaders as they reacted to President Clinton's decision to end the ban through an executive order. Only two weeks after the first bill codifying the proposed policy was introduced in the House, as a matter of principle and to highlight the injustice of this action, I introduced a bill to prohibit discrimination by the Armed Forces on the basis of sexual orientation. Now, I am proud to be an original co-sponsor of the Military Readiness Enhancement Act, which was recently introduced by Congressman Meehan of Massachusetts.

Pandering to intolerance, prejudice, and fear in the name of "unit cohesion" was a colossal mistake 12 years ago. It echoed the racist efforts in the 1940's to keep African Americans from serving their country. Today, with our soldiers under fire in Iraq and Afghanistan, our nation grappling with the threat of global terrorism, and our brave fighting men and women routinely forced to endure unprecedented extensions of their tours of duty, keeping this policy in place is simply inexcusable. At a time when we are facing increasing threats to our national security from so many quarters and a burgeoning budget deficit, how can we countenance the loss of hundreds of specialists with critical skills such as fluency in Arabic, Farsi, Chinese, and Korean.

In addition to revealing that we have discharged more than 300 soldiers with such language skills, a recent report by the General Accountability Office, has clearly stated that, while it is impossible to prepare a truly accurate estimate of the ban's costs, the amount is at least \$191 million. This number truly represents a low-ball estimate, since it is based only on the costs of replacing and training the lost enlisted personnel and does not include the actual costs of processing and discharging them. Moreover, it does not measure the much higher costs associated with replacing officers or specialists. Thus, the true costs are likely several times this amount.

With Australia and Great Britain ending their anti-gay bans over the last few years, we now stand alone among the western industrialized nations in letting prejudice and bias overwhelm fairness and good sense and undermine our military readiness. Indeed, at this very moment in Iraq, openly gay Australian and British soldiers are serving with honor alongside our troops. In fact, to add insult to injury, many of our own gay and lesbian soldiers must surely be watching with some degree of envy as their colleagues put the lie to the unit cohesion myth in front of their very eyes.

Characterized at the time as a necessary political compromise that nonetheless represented an incremental step forward for gay and lesbian service members, the policy has proven to be an unmitigated disaster, ushering in an epidemic of anti-gay harassment and more, not fewer, discharges based on sexual orientation. Of course, with the military campaign in Afghanistan, and this Administration's decision to invade and occupy Iraq, the number of discharges has been steadily and dramatically dropping. Obviously, the military's overblown concerns about unit cohesion have been

sacrificed on the altar of expedience. And given President Bush's continuing efforts to marginalize gay and lesbian Americans and relegate them to the status of second-class citizens, this apparent selective enforcement of DADT would represent the height of hypocrisy and a new low in this Administration's already abysmal record of anti-gay bias.

Though military leaders will not admit it, it seems evident that this slowdown in discharges, which has coincided with two wars and the institution of an increasingly draconian "stop loss" policy, represents a tacit repudiation of "Don't Ask, Don't Tell." I applaud Army Lt. Col. Allen Bishop, a West Point professor, for his recent editorial in the Army Times calling for an end to the military ban on gays and lesbian serving, rightly calling the issue a question of justice and liberty. To quote Lt. Col. Bishop. "When we deny their right to military service, we improperly restrict the franchise of citizenship and give in to homophobic prejudice very like the unreasoned racial and gender prejudices of the past." It is time for the rest of the Armed Forces to come out of the closet and denounce this failed policy for what it is, a politically and ideologically motivated sop to homophobia and an impediment to maintaining and enhancing military readiness during a time of war.

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